



**TOWNSHIP OF GALLOWAY
DEPARTMENT OF COMMUNITY DEVELOPMENT
PLANNING AND ZONING BOARDS**

300 E. JIMMIE LEEDS ROAD GALLOWAY, NJ 08205
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Pamela K. Alleyne
Planning/Zoning Board Administrator

**MINUTES
GALLOWAY TOWNSHIP
ZONING BOARD OF ADJUSTMENTS
May 17, 2007**

Present: Frank Gargione, Ron Huber, Carl Crowley
Anthony Leonard, Patrick Hathaway and Mark Sykes

Absent: Richard Catando, Martha Gaines, & Lynn Fittipaldi

Minutes: April 19, 2007 and December 21, 2006 Approved

Approval of Bills: May 17, 2007 Approved

Approval of Resolution Refunding Escrow Monies: Approved

Approval of Decision & Resolutions:
#4-07 J&M Land Company (Jersey Woods) #2-07 J&M Land Company
Adopted as Presented

New Appeals:

#7-07 William & Cathleen Jensen

B. 707 L. 8.01

445 A. Upas Avenue

Rear Yard Setback

Zone: R-1 (Residential)- 1

Proposed: The applicant is requesting a bulk variance, which will permit him to install a 12'x11. 5' sunroom to the rear of the home within 20' of the rear property line whereas the zoning ordinance requires a 40' rear yard setback.

The applicant represents himself. Also Jennifer a representative from Sunrooms of America is there to answer any technical questions.

No Public Comments

Motion to approve application #7-07 Jensen; Rear Yard Setback approval was made by Hathaway and Gargione 2nd the motion.

Those voting in favor: Crowley, Gargione, Huber, Hathaway, Leonard, and Sykes

Begin at tape #1 count 221. End at tape# 1 count 352. 7:40pm – 7:46pm

#6-07 Clayton Self Storage

6 W. Jimmie Leeds Rd

B. 867 L. 1&2

**Preliminary and Final Site Plan and Expansion of a Use Variance
PO and R-1 Zoning District**

- 1. Proposed: The applicant is requesting a "D(2)" use variance and site plan approval to permit the expansion of a previously approved self storage facility. The existing facility was approved by the Zoning Board by**

Resolution 19-01 (2001) and modified by Resolution 14-02 (2002). The property is located at the intersection of Jimmie Leeds Road and Laurel Avenue split between the Professional Office (PO) and Residential (R1) zoning districts in the Pinelands Growth Area.

2. The applicant is proposing to reduce the size of the basin in order to provide room for a new storage building totaling 5,400 square feet. The applicant is also proposing to increase the size of a previously approved storage building (Building 1200) by 1,000 square feet. It is my understanding that the applicant received an administrative approval to construct an underground stormwater system; however a condition of that approval was that it would require additional review and comments if the applicant proposed to expand the facility. Additional improvements to the site include new asphalt driveways, fencing around the remainder of the basin, lighting and directional signs.
3. Additional variances are required for the lot and building coverage. As approved in 2002 the maximum impervious lot coverage was 62%. The proposed expansion will result in an impervious coverage of 68.2%. Additionally, the building coverage approved in 2002 was 29% and the proposed expansion will result in a building coverage of 31.7%.

Keith Davis represents the applicant.

Start tape #1 count 442. End tape #1 count 592.

Andy Schaffer, Engineer comments that the basin will be removed. The facility has an underground stormwater management system that was previous built. The two lots will be consolidated. Will meet with the Planner to discuss additional landscaping. The new addition will have the same design. The applicant is proposing a 1,000 sq ft addition to the existing building and 5,400 square feet new storage facility.

Professional Comments:

Start tape #1 count 625. End tape #1 count 660.

Deborah Wahl, Board Engineer comments on her report dated May 10 where the applicant has addressed all the comments in the report. Have inspected the original site plan along with the underground storage system. The basin is going to be fenced in from the property. A 4' high chain link fence on two sides of the retention pond.

Start tape #1 count 597. End tape #1 count 624.

Tiffany Cuvillo, Board Planner comments on her May 10 report with the request that the applicant provide additional landscaping along the drive aisle. All other comments have been addressed.

No Public Comments

Finding and Facts:

Start tape #1 count 811. End tape #1 count 890.

Board Members Crowley, Gargione, Huber, Hathaway, Leonard, and Sykes comment that it is a good project, it is a positive service that is provided to the community and its an expansion to an already approved site plan. All in favor of the application.

Council Summary:

Start tape #1 count 891. End tape #1 count 963.

John summarizes the application. The applicant has voluntarily agreed to clean up and clear out the rear area of the property where they adjoin residential uses. The two lots will be consolidated and the deed will be recorded

Motion to approve application #6-07 Clayton Self Storage; Preliminary and Final Site Plan approval was made by Leonard and Hathaway 2nd the motion.

Those voting in favor: Crowley, Gargione, Huber, Hathaway, Leonard, Sykes

Motion to approve application #6-07 Clayton Self Storage; Expansion of a Non-Conforming Use approval was made by Huber and Leonard 2nd the motion.

Those voting in favor: Crowley, Gargione, Huber, Hathaway, Leonard, Sykes

Begin at tape #1 count 365. End at tape# 1 count 984. 7:46pm – 8:05pm

#9-07 Risley Development

Towne Center Drive

B. 985 L. 8.01,8.02,8.03,8.04,8.05,8.06,8.07

Use Variance

CVC (Community Village Commercial) Zoning District

Proposed: The applicant is requesting a "D (1)" use variance to permit a mixed use development include retail and professional offices on the first floor and residential on the second and third floors. The property is located along Towne Center Drive off of Pitney Road in the Community Village Commercial (CVC) zoning district.

Exhibits:

A-1 Arial Towne Center Drive

A-2 Three page photographs, café in Avalon and Disney resorts

A-3 Floor Plan

Charles Gemmel represents the applicant.

Start tape #1 count 1080. End tape #1 count 1875.

Gary White, Engineer has designed the conceptual plan for the use variance. If the use variance is approved then a site plan will be presented for approval. The majority of the frontage is on Towne Center Drive, which is a township road. The north of the property is residential a well-established neighborhood. Which is not a part of the CVC zone. The lots will be developed as 29 residential units and 3,900 sq ft commercial/office space with the creation of a walking town center. The pads that front Pitney Rd will be strictly commercial. The pads will be marketed as commercial pads on 1,000 sq units.

Offered as either singular or two or three units above that will be an upscale residential rental unit with two – three bedrooms. The design element and price point will be for a young professional/empty nester. Covered parking for the residential access will be to the rear and the commercial access will be in the front.

Norm Risley, Applicant has comments on the application. He comments that he never went to the Master Plan committee as questioned by the board members to amend the Master Plan to allow for the CVC zone to be amended to include residential. It is not their desire to have residential in the entire CVC zone, just in this specific piece of property.

Professional Comments:

Deborah Wahl, Board Engineer. No report it is a Use variance. Although questioned the proposed location of the basin.

Start tape #1 count 1893. End tape #1 count 2068.

Tiffany Cuvillo, Board Planner comments on her report dated May 10, 2007. Questioned if the board was satisfied that the Applicant has address the negative and positive criteria. Granting a use variance has the potential of changing an area. Also why the master Plan has not addressed their request, especially in the re-examination of the master plan that was recently adopted.

Public Comments:

Start tape #1 count 3716. End tape #1 count 4058.

Michael Charlton, Owner of Gourmet Restaurant gave an overview of the inception of the Towne Center concept. There was nothing here and a few businesses took a leap of faith years ago and we have a number of businesses that have called this area home. The applicants are asking that you take another leap of faith and approve their application. You have hometown developers willing to invest a \$15 - \$20 million dollar in a project that they believe in. It will have a positive impact on the CVC zone.

Start tape #1 count 4065. End tape #1 count 4129.

Rosemarie Holloway, Board of Directors of the Four Seasons of Smithville community comments on the tax impact that the proposed application will have.

Council Summary:

Start tape #1 count 4477. End tape #1 count 4645.

John summaries the application.

Finding and Facts:

Start tape #1 count 4651. End tape #1 count 5268.

Board Member Crowley: The CVC zone was not included in the master plan update. The site has remained vacant for five years. The concept is great. It might spur growth. The developer is willing to take a leap of faith in a project that they believe in. In favor of the application.

Board Member Leonard: Can't conceive of the concept to allow for residential in the CVC zone. Master Plan update did not entertain this notion. Not in support.

Board Member Hathaway: The project does not support purpose of the Code and the Master Plan especially since it was recently reviewed and no changes were made to the CVC zone. The special proof has not been met. Not in support of the application.

Board Member Huber: Like the concept, however the applicant could have brought forth more information proving that the concept is a viable one. Not in favor of the application.

Board Member Gargione: Great concept for the township. Having difficulty that the Master recently re-examined did not address residential in the CVC zone.

Board Chair Sykes: Lack of professional studies. Master Plan just re-examined and not a mention of this concept. Should have provided marketability studies. Application did not have much information proving the concept. Not in support of the application.

Motion to approve application #9-07 Risley Development; Use variance approval was made by Leonard and Hathaway 2nd the motion.

Those voting Against: Gargione, Huber, Hathaway, Leonard, Sykes

Those voting in Favor: Crowley

Application DENIED

Begin at tape #1 count 998. End at tape# 1 count 5356. 8:10pm – 10:10pm

Meeting Adjourned

10:15pm

Pamela Alleyne, Administrator